

1 **PLANNING COMMISSION MINUTES**

2 Wednesday, March 11th, 2026, 6:00 pm

3 Providence City Office Building, 164 North Gateway Dr., Providence Ut

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5 To view the video recording of the meeting please visit our YouTube channel found [HERE](#).

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7 **Call to Order:** Robert Henke

8 **Chair Roll Call of Commission Members:** Bob Perry, Michael Fortune, Robert Henke, Julie Martin, John
9 Petersen & Joe Chambers.

10 **Staff in Attendance:** City Manager Ryan Snow, Community Development Director Skarlet Bankhead and City
11 Recorder Ty Cameron

12 **Pledge of Allegiance:** Julie Martin

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14 **3 MIN. 00 SEC.**

- 15 ➤ **Item No. 1 Approval of Minutes:** The Planning Commission will consider approval of the minutes
16 of February 11th, 2026. ([MINUTES](#))

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18 • Chair Henke called for the approval of the minutes of February 11th, 2026.
19 • No corrections or changes were made.

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21 **Motion to approve the minutes of February 11th, 2026- Michael Fortune. 2nd- Bob Perry.**

22 **Vote:**

23 **Yea- Michael Fortune, Robert Henke, Julie Martin, John Petersen & Joe Chambers.**

24 **Nay-**

25 **Abstained-**

26
27 **Motion passes, minutes approved.**

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29 **Public Comments:** Citizens may express their views on issues within the Planning Commission's jurisdiction.
30 The Commission accepts comments: in-person, by email providencacityutah@gmail.com , and
31 by text 435-752-9441. By law, email comments are considered public record and will be shared
32 with all parties involved, including the Planning Commission and the applicant.

- 33
34 • Chair Henke opened the floor for general public comments.
35 • No comments were made. Staff indicated no comments had come in via email or text.
36 • Chair Henke closed the public comment portion of the meeting.

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38 **Public Hearings:**

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40 **4 MIN. 50 SEC.**

- 41 ➤ **Item No. 2 City Code Title 11: Subdivision Regulations & PCC 7-3-4: Standards Public**
42 **Hearing:** The Planning Commission will take comments and questions from the public regarding
43 proposed amendments to Providence City Code Title 11: Subdivision Regulations; and removing City
44 Code 7-3-4: Standards. These proposed amendments are to align with the newly adopted Utah American
45 Public Works Association standards and specifications. These amendments simplify and remove double
46 references.

- 47 • Chair Henke opened the public hearing regarding proposed amendments to PCC title 11 and
- 48 PCC 7-3-4.
- 49 • No comments were made.
- 50 • Chair Henke closed the public hearing.

51 **Legislative – Action Item(s):**

52 **6 MIN. 30 SEC.**

- 53
- 54 ➤ **Item No. 3 City Code Title 11: Subdivision Regulations Amendments:** The Planning Commission
- 55 will review, discuss and may make recommendation to the city council regarding amendments to City
- 56 Code Title 11: Subdivision Regulations and removal of PCC 7-3-4: Standards. **(AMENDMENTS)**

- 57 • Chair Henke introduced the agenda item for Planning Commission review and recommendation
- 58 to City Council regarding amendments to City Code Title 11 Subdivision Regulations and
- 59 removal of PCC 7-3-4 Standards. He invited Community Development Director Skarlet
- 60 Bankhead to present.
- 61 • Ms. Bankhead detailed that a month ago, the city approved Utah APWA standards and
- 62 specifications along with Providence-specific modifications. This had a ripple effect on many
- 63 ordinances. Section 7-3-4 in the public works code contained standards that either duplicated or
- 64 contradicted the new standards, necessitating its repeal. The content is now covered in the
- 65 standards and specifications manual, their addendum, or Title 11 subdivision code.
- 66 • She pointed to page 3, lines 89-90, where they now reference the Utah American Public Works
- 67 Association National Standards with city-specific modifications as Providence City's design
- 68 standards and specifications. The amendments clarify that comprehensive amendments require
- 69 City Council approval through Planning Commission and public hearing processes, while routine
- 70 amendments like changing equipment brands could be handled administratively without full
- 71 public hearing requirements.
- 72 • Ms. Bankhead noted a change on page 4 regarding asphalt widths, explaining they changed
- 73 asphalt widths but not right-of-way widths. City Engineer Ryan elaborated that previously, 30-
- 74 foot widths could accommodate two traffic lanes but didn't provide enough space for bike lanes
- 75 or parking on both sides. The transition removes definitional widths from code and references
- 76 typical standards in their specifications.
- 77 • Ms. Bankhead identified a typographical error on line 119-120, where "of 49 feet" should be
- 78 crossed out, leaving "with a minimum asphalt width as shown on the standard drawing for a
- 79 typical street cross section."
- 80 • She explained changes to proportionate share requirements, noting that costs for paved sections
- 81 over 40 feet (changed from 39 feet) may be shared by the city, relating to proportionate share and
- 82 impact fee regulations. Ryan clarified this addresses partial width construction policies rather
- 83 than design specifications.
- 84 • Regarding development agreements, Ms. Bankhead explained that state code changes mean not
- 85 all developments require development agreements. They're adding an application for
- 86 development and public improvement installation for developers to sign, indicating
- 87 development-specific fees like water requirement fees and road service treatment fees.
- 88 • Ms. Bankhead addressed residential access to major commercial or specified residential streets,
- 89 explaining their city attorney recommended adding language stating that lots allowed access
- 90 because no other option exists will be permitted only one cut. This clarifies intent for roads like

91 Spring Creek Parkway, 100 North, and 300 South, which are major roads with anticipated heavy
92 traffic.

- 93 • Joe Chambers questioned whether circle driveways create more or fewer conflict points, asking
94 if it's more dangerous for people to back onto busy roads versus entering forward. Ryan
95 confirmed that two in-and-out points create more safety hazards than single access points. Ms.
96 Bankhead agreed that while front-facing exits are safer, circle drives create two potential conflict
97 points that can't be controlled for usage patterns.
- 98 • The discussion covered seal coat fees, with Skarlet explaining they want current pricing rather
99 than annually-set fees to charge developers appropriate amounts rather than estimated fees. She
100 noted most remaining changes stem from specifications updates and consolidation of
101 construction drawing requirements that were previously scattered throughout the subdivision
102 ordinance.
- 103 • Skarlet explained new sections 512-514 address state code requirements for defining
104 construction period expiration and extension processes for public infrastructure projects. Ryan
105 confirmed these apply to developers and public works construction within city jurisdiction.
- 106 • The commission expressed appreciation for the work and noted the lack of public opposition
107 during the hearing. Ryan highlighted benefits of standardization, citing current cooperation with
108 Logan City on a 1200 South sewer project where unified standards facilitate joint municipal
109 projects and benefit the construction industry.
- 110 • Michael Fortune confirmed this brings code into harmony with previously adopted standards.
111 The commissioners agreed the changes looked favorable.

112 **Joe Chambers moved that the Planning Commission make a recommendation to City Council for**
113 **adoption of amendments to City Code Title 11 subdivision regulations and removal of PCC 7-3-4**
114 **standards, subject to the correction Ms. Bankhead made regarding line 120 eliminating "of 49**
115 **feet." Michael Fortune seconded the motion.**

116 **Vote:**

117 **Yea- Michael Fortune, Robert Henke, Julie Martin, John Petersen & Joe Chambers.**

118 **Nay-**

119 **Abstained-**

120 **Motion passes, amendments recommended to city council with correction.**

121 **31 MIN 35 SEC.**

- 122 ➤ **Item No. 4 PCC 10-8-10 Affordable Housing Incentives Code Addition Update:** The Planning
123 Commission will discuss, review and may make a recommendation to city council regarding PCC
124 addition 10-8-10 Affordable Housing Incentives. **(CODE REVIEW)**

- 125 • Chair Henke introduced the agenda item for Planning Commission review and recommendation
126 to City Council regarding PCC addition 10-8-10 Affordable Housing Incentives.
- 127 • Ms. Bankhead explained they had held a public hearing on this item previously, and the
128 commission had requested additional code language for rentals. The underlined portions on page
129 1, lines 20-34, and page 2, lines 54-80, represent new additions clarifying deed restrictions for
130 both owner-occupied and rental-occupied units. The additions require reporting from property
131 managers on rental units to ensure compliance with parameters qualifying for incentives.

- Joe Chambers questioned the penalty reference in line 76 to section 10-2-2, asking if it constituted a Class B misdemeanor. Ms. Bankhead clarified it's a Class C misdemeanor, then explained that section 10-2-2 covers violations of the entire title with graduated penalties that can escalate to Class B for continued violations.
- Mr. Chambers noted concern that while failure to file reports triggers penalties, violations of deed restrictions limiting rent to 80 percent of applicable factors don't clearly specify penalties. Ms. Bankhead suggested moving item 4 to item G and changing language from "failure to file the report" to "violation of this section shall be subject to fines and penalties as established in 10-2-2" to cover the entire addition.
- Julie Martin asked about grace periods for compliance. Ms. Bankhead indicated none were written in currently, though they could add specific language. Ryan noted administrative processes naturally provide some grace period due to evidence gathering and documentation requirements, and judges retain discretion in enforcement.
- Planning Commission asked about the incentive structure. Skarlet explained qualifying developments receive 20 percent density incentives - for example, increasing from 10 units per acre to 12 units per acre without zone changes. She detailed that previous attempts to reduce housing costs through smaller lot sizes resulted in developers building larger homes on smaller lots, still pricing homes out of affordable ranges.
- The deed restriction approach ensures developments claiming affordable status maintain affordability over time rather than allowing immediate equity-based resales at market rates. Ms. Bankhead noted this addresses problems where investors purchased supposedly affordable townhomes for rental to multiple unrelated individuals, creating parking and occupancy issues beyond development design parameters.
- John Petersen acknowledged that markets bend and flow unpredictably, making policy outcomes difficult to predict. Mr. Chambers characterized this as state-mandated policy to avoid forfeiting road funds, noting it provides options developers may choose without requirements. Ms. Bankhead confirmed developers have other density options through mixed-use zoning without affordable housing requirements, but current market conditions make these alternatives attractive enough that developers aren't utilizing the affordable housing incentives.
- Ms. Martin asked about audit frequency. Skarlet confirmed annual reporting requirements, with audits triggered by non-compliance. Ryan noted reporting requirements align with standard practices for tax credit and HUD housing programs, making compliance routine for experienced developers.
- The commission members indicated no further concerns with the proposal.

Michael Fortune moved that the Planning Commission make a recommendation to City Council for approval of PCC addition 10-8-10 Affordable Housing Incentives, subject to findings of fact, conclusions of law, and conditions set forth in the staff report, and including the modification to move line 76, item 4, as item G. Joe Chambers seconded the motion.

Vote:
Yea- Michael Fortune, Robert Henke, Julie Martin, John Petersen & Joe Chambers.
Nay-
Abstained-

Motion passes, new recommended to city council with correction.

Study Items(s):

51 MIN. 25 SEC.

➤ **Item No. 5 Rezone of parcel 02-092-0049:** Planning Commission will review a request to rezone Parcel 02-092-0049, a 3-acre parcel located in the general area of 370 N 100 W. The property is currently zoned Agricultural (AGR); the applicant is requesting R-1-12. Only action taken will be to move this time to a public hearing. **(ANALYSIS)**

- Chair Henke introduced the agenda item for Planning Commission review of a rezone request for parcel 02-092-0049, a 3-acre parcel in the general area of 370 North 100 West, currently zoned Agricultural with applicant requesting R-1-06 (Ms. Bankhead noted the agenda incorrectly stated R-1-12).
- Ryan noted the commission generally doesn't proceed when applicants aren't present, suggesting they could either continue the study item or proceed directly to public hearing. Joe Chambers asked if the applicant was related to Danny McFarland, with confirmation the applicant is his son. Michael Fortune asked if this property had come before them previously, with Ms. Bankhead clarifying this property had been considered before but with different applicant and different zoning request - the previous request was for RN-12 multifamily zoning, while this requests R-1-06 single family with 6,000 square foot minimum lots.
- Ms. Bankhead explained R-1-06 zoning matches lot sizes used in Vineyard developments, Brookside Homes, Arts Place, and 100 East in the same general area. She noted they needed commission action to either continue the study item or proceed to public hearing.
- The commissioners all expressed support for proceeding to public hearing. They saw no reason to table the item, agreeing they could hear public input and still require applicant representation for future discussion.

Julie Martin moved to move item number 5, the rezone of Parcel 02-092-0049, to a public hearing.

Michael Fortune seconded the motion

Vote:

Yea- Michael Fortune, Robert Henke, Julie Martin, John Petersen & Joe Chambers.

Nay-

Abstained-

Motion passes, item to be set for a public hearing.

- Chair Henke noted no additional business for discussion.

Joe Chambers moved to adjourn. John Peterson seconded the motion.

Vote:

Yea- Michael Fortune, Robert Henke, Julie Martin, John Petersen & Joe Chambers.

Nay-

Abstained-

Motion passes, meeting adjourned.

Minutes approved by vote of Commission on ___ day of _____ 2026.

215 **I swear these minutes are true and correct to the best of my knowledge.**

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217 _____
218 Ty Cameron, City Recorder

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